

**REMARKS**

**I. General Comments**

Applicants thank the Examiner for initialing and signing the Information Disclosure Statement (IDS) submitted on July 10, 2006. However, the Examiner has still not initialed and signed the IDS submitted on January 12, 2006. Therefore, Applicants again request that the Examiner indicate consideration of the references included in the IDS of January 12, 2006.

By the present Amendment, Applicants amend claims 1, 3, 14-16, and 18-24. Claims 9-13, 17, and 25 have been withdrawn as being drawn to a nonelected invention. Claims 1 and 3-25 are all the claims pending in the application. Claims 1, 3-5, 14-16, and 18-24 have been rejected. The present Amendment addresses each point of objection and rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

**II. Claim Objections**

The Examiner has objected to claims 1, 14, and 16 because of an informality. Applicants have amended these claims accordingly.

**III. Rejected Claims Under 35 U.S.C. § 112, First Paragraph**

Claims 3, 15, and 18-24 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. In particular, the Examiner maintains that the specification fails to disclose the limitation of “maximum permissible gradation.” Applicants have amended these claims accordingly. The description of “all gradations of said image recorded on said photosensitive medium” can be found on p. 7, lines 13-15 and p. 11, lines 18-23 of the specification.

**IV. Rejected Claims Under 35 U.S.C. § 103(a) - Inoue**

Claims 1, 5, 14, and 16 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,731,884 to Inoue. Applicants respectfully traverse these grounds of rejection.

Independent claim 1 recites, *inter alia*, an apparatus for recording an image “wherein said light beam intensity modulating means comprises means for modulating the intensity of the light beam to a higher level when recording pixels are in a highlight area of the image when compared to recording pixels in other areas of the image that have higher gradation values.” The Examiner maintains that Fig. 5 of Inoue discloses this feature. Applicants respectfully disagree.

Inoue is directed to outputting a halftone dot image after compensating for variations of halftone dot area percentages due to changes in developers and photosensitive media (col. 3, lines 27-31). Inoue generates a test halftone dot image on film, measures the halftone dot area percentage of the test halftone dot image, and adjusts the intensity of a laser beam to equalize an indicated halftone dot area percentage with an output halftone dot area percentage for recalibration (col. 9, lines 34-49). Fig. 5 illustrates experimental results of the output halftone dot area percentage measured as a function of the laser power for images with different screen rulings (col. 7, lines 13-22).

Inoue adjusts the output power of a laser based on the measured halftone dot area percentage of the test pattern (col. 9, lines 16-20). However, Inoue does not teach or suggest modulating the intensity of the laser beam based on whether the pixels to be recorded are in a highlight area of the image, as required by claim 1. Instead, Inoue uses the measured halftone dot area percentage of the test halftone dot image to calculate the appropriate output power of the

laser, and uses this output power to record an entire properly calibrated image on the photosensitive medium (col. 7, line 65 - col. 8, line 8).

At least by virtue of the aforementioned differences, claim 1 distinguishes over Inoue. Claim 5 is a dependent claim including all of the elements of independent claim 1, which as established above, distinguishes over Inoue. Therefore, Applicants submit that claim 5 is patentable for at least the aforementioned reasons, as well as for its additionally recited features.

Further, independent claims 14 and 16 recite features similar to those discussed above in relation to claim 1. Therefore, Applicants submit that claims 14 and 16 are patentable over Inoue for similar reasons.

**V. Rejected Claims Under 35 U.S.C. § 103(a) - Inoue in view of Persoon**

Claim 4 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Inoue in view of U.S. Patent No. 4,501,016 to Persoon et al. (hereinafter “Persoon”). Applicants respectfully traverse these grounds of rejection.

Claim 4 is dependent on claim 1, which as discussed above, distinguishes over Inoue. Persoon does not remedy the failure of Inoue to teach or suggest modulating the intensity of the laser beam based on whether the pixels to be recorded are in a highlight area of the image, as required by claim 1. Therefore, Applicants submit that claim 4 is patentable over Inoue, Persoon, and their combination.

**VI. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

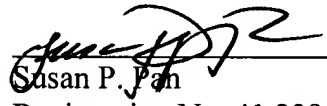
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